

# EXHIBIT 5

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

DONALD J. TRUMP FOR PRESIDENT, INC.; <i>et al.</i> ,	)	CIVIL ACTION
	)	
	)	
Plaintiffs,	)	
	)	
v.	)	No. 2:20-cv-966-NR
	)	
KATHY BOOCKVAR; <i>et al.</i> ,	)	
	)	
Defendants.	)	

**DECLARATION OF GEORGE JOSEPH KELLY, JR.**

DISTRICT OF COLUMBIA	)	
	)	SS:
	)	

George Joseph Kelly, Jr., who has been first duly sworn, deposes and states as follows:

1. I am an adult individual over the age of eighteen (18).
2. I reside in Butler, Butler County, Pennsylvania.
3. I have personal knowledge of the facts described in this Declaration.
4. My name is George Joseph Kelly, Jr., but I am more commonly known as Mike Kelly.
5. I am the current United States Representative for Pennsylvania 16th Congressional District, and a candidate for the same position in the upcoming 2020 election.
6. Constituents in District 16 have expressed concern to me that the current voting process does not have the integrity that it has had in the past, and that their vote will not be counted the way it has been counted in the past.
7. I share the concerns of my constituents and am alarmed by a loss of faith in the voting system and the trust that we have in the people that run the system.

8. I am concerned that the voting system in place does not count each valid vote and count it equally without dilution.

9. I am concerned the voting system is being gamed through unequal administration of the voting system, including inconsistent deployment of drop boxes, across the counties that I represent.

10. Those concerns prompted me to join this lawsuit as a plaintiff.

11. I also am concerned about the uneven deployment of drop boxes from county to county in District 16, including where they are placed and the rationale for the placement.

12. I am concerned that the drop boxes in District 16 are not going to be staff or watched, and are therefore vulnerable to tampering and ballot harvesting.

13. I am concerned that drop boxes concentrate the number of voted ballots into one unsecure location, and are therefore more vulnerable to large-scale tampering than mail boxes.

14. I have not used poll watchers in the past but believe, due to the changes to the Election Code and the uncertainty related to the implementation of those changes, including guidance issued by Secretary Boockvar, that poll watchers are necessary to ensure the integrity of the voting process and to give myself and my constituents a senses of fairness and security.

15. I am a Republican candidate.


16. Erie County is in Pennsylvania's District 16, and Erie County has a greater number of registered Democrats than registered Republican voters. As such, I am likely to have difficulty getting enough poll watchers from within Erie County to watch all polls within that county on election day. I am confident that I could obtain poll watchers from other counties I represent who would be willing to watch polls in Erie County on election day to fill the gaps.

17. I want a secure and fair election as the result of an equitable and consistent application of the Election Code across all 67 of Pennsylvania's counties, including the five counties that I represent.

**DECLARANT SAYETH NOTHING FURTHER**

Pursuant to 28 U.S. Code § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 1<sup>st</sup>, 2020.

 US Rep  
PP. 16  
Rep. Mike Kelly